

108TH CONGRESS  
2D SESSION

# H. R. 4422

Making appropriations for the Departments of Agriculture, Education, Health and Human Services, and Transportation for the fiscal year ending September 30, 2005, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. OBEY introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

Making appropriations for the Departments of Agriculture, Education, Health and Human Services, and Transportation for the fiscal year ending September 30, 2005, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Departments of Agriculture, Education, Health and  
6       Human Services, and Transportation for the fiscal year

1 ending September 30, 2005, and for other purposes,  
2 namely:

3 TITLE I—DEPARTMENT OF AGRICULTURE  
4 ANIMAL AND PLANT HEALTH INSPECTION  
5 SERVICE

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For expenses, not otherwise provided for, necessary  
9 to prevent, control, and eradicate pests and plant and ani-  
10 mal diseases; to carry out inspection, quarantine, and reg-  
11 ulatory activities; and to protect the environment, as au-  
12 thorized by law, \$866,361,000, of which \$4,119,000 shall  
13 be available for the control of outbreaks of insects, plant  
14 diseases, animal diseases and for control of pest animals  
15 and birds to the extent necessary to meet emergency con-  
16 ditions: *Provided*, That this appropriation shall be avail-  
17 able for the operation and maintenance of aircraft and the  
18 purchase of not to exceed four, of which two shall be for  
19 replacement only: *Provided further*, That, in addition, in  
20 emergencies which threaten any segment of the agricul-  
21 tural production industry of this country, the Secretary  
22 may transfer from other appropriations or funds available  
23 to the agencies or corporations of the Department such  
24 sums as may be deemed necessary, to be available only  
25 in such emergencies for the arrest and eradication of con-  
26 tagious or infectious disease or pests of animals, poultry,

1 or plants, and for expenses in accordance with sections  
2 10411 and 10417 of the Animal Health Protection Act  
3 (7 U.S.C. 8310 and 8316) and sections 431 and 442 of  
4 the Plant Protection Act (7 U.S.C. 7751 and 7772), and  
5 any unexpended balances of funds transferred for such  
6 emergency purposes in the preceding fiscal year shall be  
7 merged with such transferred amounts: *Provided further*,  
8 That appropriations hereunder shall be available pursuant  
9 to law (7 U.S.C. 2250) for the repair and alteration of  
10 leased buildings and improvements, but unless otherwise  
11 provided the cost of altering any one building during the  
12 fiscal year shall not exceed 10 percent of the current re-  
13 placement value of the building.

14 In fiscal year 2005, the agency is authorized to collect  
15 fees to cover the total costs of providing technical assist-  
16 ance, goods, or services requested by States, other political  
17 subdivisions, domestic and international organizations,  
18 foreign governments, or individuals, provided that such  
19 fees are structured such that any entity's liability for such  
20 fees is reasonably based on the technical assistance, goods,  
21 or services provided to the entity by the agency, and such  
22 fees shall be credited to this account, to remain available  
23 until expended, without further appropriation, for pro-  
24 viding such assistance, goods, or services.

1           RURAL DEVELOPMENT PROGRAMS

2           RURAL COMMUNITY ADVANCEMENT PROGRAM

3           For the cost of direct loans, loan guarantees, and  
 4 grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c,  
 5 1926d, and 1932, except for sections 381E–H and 381N  
 6 of the Consolidated Farm and Rural Development Act,  
 7 \$963,013,500, to remain available until expended, of  
 8 which \$86,439,000 shall be for rural community programs  
 9 described in section 381E(d)(1) of such Act; of which  
 10 \$801,594,500 shall be for the rural utilities programs de-  
 11 scribed in sections 381E(d)(2), 306C(a)(2), and 306D of  
 12 such Act; and of which \$74,980,000 shall be for the rural  
 13 business and cooperative development programs described  
 14 in sections 381E(d)(3) and 310B(f) of such Act.

15           RURAL HOUSING SERVICE

16   RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

17           (INCLUDING TRANSFER OF FUNDS)

18           For gross obligations for the principal amount of di-  
 19 rect and guaranteed loans as authorized by title V of the  
 20 Housing Act of 1949, to be available from funds in the  
 21 rural housing insurance fund, as follows: \$5,198,275,000  
 22 for loans to section 502 borrowers, as determined by the  
 23 Secretary, of which \$2,200,000,000 shall be for direct  
 24 loans, and of which \$2,725,185,000 shall be for unsub-  
 25 sidized guaranteed loans; \$35,000,000 for section 504  
 26 housing repair loans; \$116,545,000 for section 515 rental

1 housing; \$100,000,000 for section 538 guaranteed multi-  
2 family housing loans; \$5,045,000 for section 524 site  
3 loans; \$11,501,000 for credit sales of acquired property,  
4 of which up to \$1,501,000 may be for multi-family credit  
5 sales; and \$5,000,000 for section 523 self-help housing  
6 land development loans.

7       For the cost of direct and guaranteed loans, including  
8 the cost of modifying loans, as defined in section 502 of  
9 the Congressional Budget Act of 1974, as follows: section  
10 502 loans, \$288,368,000, of which \$254,760,000 shall be  
11 for direct loans, and of which \$33,608,000 to remain  
12 available until expended, shall be for unsubsidized guaran-  
13 teed loans; section 504 housing repair loans, \$10,171,000;  
14 section 515 rental housing, \$54,881,000; section 538  
15 multi-family housing guaranteed loans, \$3,490,000; multi-  
16 family credit sales of acquired property, \$727,000: *Pro-*  
17 *vided*, That of the total amount appropriated in this para-  
18 graph, \$7,100,000 shall be available through June 30,  
19 2005, for authorized empowerment zones and enterprise  
20 communities and communities designated by the Secretary  
21 of Agriculture as Rural Economic Area Partnership  
22 Zones.

23       In addition, for administrative expenses necessary to  
24 carry out the direct and guaranteed loan programs,  
25 \$465,886,000, which shall be transferred to and merged

1 with the appropriation for “Rural Development, Salaries  
2 and Expenses”.

3 RURAL UTILITIES SERVICE

4 RURAL TELEPHONE BANK PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 The Rural Telephone Bank is hereby authorized to  
7 make such expenditures, within the limits of funds avail-  
8 able to such corporation in accord with law, and to make  
9 such contracts and commitments without regard to fiscal  
10 year limitations as provided by section 104 of the Govern-  
11 ment Corporation Control Act, as may be necessary in car-  
12 rying out its authorized programs. During fiscal year 2005  
13 and within the resources and authority available, gross ob-  
14 ligations for the principal amount of direct loans shall be  
15 \$173,503,000.

16 In addition, for administrative expenses, including  
17 audits, necessary to carry out the loan programs,  
18 \$3,328,000, which shall be transferred to and merged with  
19 the appropriation for “Rural Development, Salaries and  
20 Expenses”.

21 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND

22 PROGRAM

23 For the principal amount of direct distance learning  
24 and telemedicine loans, \$300,000,000; and for the prin-  
25 cipal amount of direct broadband telecommunication  
26 loans, \$675,917,000.

1 For grants for telemedicine and distance learning  
2 services in rural areas, as authorized by 7 U.S.C. 950aaa  
3 et seq., \$50,000,000, to remain available until expended.

4 For the cost of telemedicine and distance learning  
5 services loans in rural areas, as authorized by 7 U.S.C.  
6 950aaa et seq., \$4,260,000, to remain available until ex-  
7 pended.

8 For the cost of broadband loans, as authorized by 7  
9 U.S.C. 901 et seq., \$17,229,000: *Provided further*, That  
10 the cost of direct loans shall be as defined in section 502  
11 of the Congressional Budget Act of 1974.

12 In addition, \$18,000,000, to remain available until  
13 expended, for a grant program to finance broadband  
14 transmission in rural areas eligible for Distance Learning  
15 and Telemedicine Program benefits authorized by 7  
16 U.S.C. 950aaa.

## 17 TITLE II—DEPARTMENT OF EDUCATION

### 18 SCHOOL IMPROVEMENT PROGRAMS

#### 19 RURAL EDUCATION ACHIEVEMENT PROGRAM

20 For carrying out rural education activities authorized  
21 by part B of title VI of the Elementary and Secondary  
22 Education Act of 1965, \$300,000,000, which shall become  
23 available on July 1, 2005, and remain available through  
24 September 30, 2006, for academic year 2005–2006.

1       TITLE III—DEPARTMENT OF HEALTH AND  
 2                                   HUMAN SERVICES

3       HEALTH RESOURCES AND SERVICES ADMINISTRATION

4                                   HEALTH RESOURCES AND SERVICES

5       PROGRAMS OF SPECIAL IMPORTANCE TO RURAL AMERICA

6       For carrying out sections 330, 330A, 330I, 330J,  
 7       331 through 338I, 338J, 340, 340G, 747, 750, 751, 752,  
 8       754, 757, and 846 of the Public Health Service Act, sec-  
 9       tions 711 and 1820 of the Social Security Act, and the  
 10      Rural Access to Emergency Devices Act, \$2,547,066,000,  
 11      all of which shall be derived from general revenues not-  
 12      withstanding section 1820(j) of the Social Security Act.

13      TITLE IV—DEPARTMENT OF TRANSPORTATION

14                                   OFFICE OF THE SECRETARY

15                                   PAYMENTS TO AIR CARRIERS

16                                   (AIRPORT AND AIRWAY TRUST FUND)

17      To carry out the essential air service program under  
 18      49 U.S.C. 41731 through 41742, \$115,000,000 to be de-  
 19      rived from the Airport and Airway Trust Fund and from  
 20      amounts received by the Federal Aviation Administration  
 21      credited to the amount established under section 45303  
 22      of Title 49, U.S.C., to remain available until expended.

23                                   TITLE V—OFFSET

24      In the case of taxpayers with adjusted gross income  
 25      in excess of \$1,000,000 for calendar year 2004, the  
 26      amount of the tax reduction resulting from enactment of



1 the Jobs and Growth Tax Relief Reconciliation Act of  
2 2003 (Public Law 108–27) and enactment of the Eco-  
3 nomic Growth and Tax Relief Reconciliation Act of 2001  
4 (Public Law 107–16) shall be reduced by 5.1 percent.

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